

Resolution No. 31016

The City of Seattle – Legislative Department

Resolution sponsored by: Peter E. Conant

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 30412.

Related Legislation File: _____

Date Introduced and Referred: <u>Sept. 24, 2007</u>	To: (committee): <u>Urban Development + Planning</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>10-8-07</u>	Date Presented to Mayor: <u>_____</u>
Date Signed by Mayor: <u>_____</u>	Date Returned to City Clerk: <u>10-9-07</u>
Published by Title Only <u>7</u>	Date Returned Without Concurrence:
Published in Full Text <u>7</u>	

Committee Action:

Date	Recommendation	Vote
	<u>Pass</u>	
	<u>3-0</u>	
	<u>PS, TR, RC</u>	

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
<u>10-8-07</u>	<u>Adopted</u>	<u>9-0</u>

Law Department

RESOLUTION 31016

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A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 30412.

WHEREAS, Council finds that the City's procedures for amending the Seattle Comprehensive Plan, contained in Resolution 30421, should be amended to provide a more effective and timely review process;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. Applicability. The procedures prescribed by this resolution apply to proposed amendments to the Comprehensive Plan.

Section 2. Procedures for Annual Amendments. The Comprehensive Plan amendment process generally entails a two step process. First, the Council screens all proposed amendments and decides which amendments it will later consider for possible adoption. This screening step typically occurs in the spring. Second, after the Council has selected the proposed amendments that it wants to consider for possible adoption, additional analysis of those proposed amendments may occur, and then, typically in the fall, the Council votes whether to approve a proposed amendment.

A. Certain Amendment Types to be Considered Once Per Year. Except for amendments that may be considered more frequently than once a year pursuant to RCW 36.70A.130, the City Council will consider proposed amendments to the Comprehensive Plan once every year. Proposed amendments that may be considered once a year only are called "annual amendments".



1 B. Annual Amendments to Follow This Section 2 and Section 4 General

2 Procedures. Annual amendments shall follow the procedures of this section in addition to the
3 general procedures in Section 4 below.

4 C. Annual Amendments to be Considered Concurrently. Proposed annual
5 amendments will be considered by the Council concurrently so the cumulative effect of the
6 proposed amendments can be ascertained.

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8 D. Annual Schedule. Proposed amendments to the Comprehensive Plan may be
9 submitted to the City Council at any time. However, in order to be considered for possible
10 adoption in a calendar year, the proposed amendment must be submitted by January 20th of that
11 year, except as otherwise provided by these procedures. Amendments submitted after January
12 20th may be considered the following year.

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14 E. Selection of Amendments to be Considered. After receipt of proposed
15 amendments, the City Council will transmit all the proposed amendments to the Planning
16 Commission with a request for its recommendation on which amendments should be considered
17 for further review. The Council will also transmit the proposed amendments to the Department
18 of Planning and Development (DPD). Both the Planning Commission and DPD may send
19 recommendations to the Council. In order to be considered, the recommendation(s) should be
20 received by the Council by March 1.

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22 F. Optional Public Hearing on Selections of Amendments to Consider. Depending
23 upon the number and nature of proposed amendments, the Council may hold a public hearing
24 before it decides which proposed amendments will be considered that year. Notice of the hearing
25 will be given by publication in the City's official newspaper and the Land Use Information
26 Bulletin a minimum of fifteen days before the scheduled hearing.
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1 G. Identification of Amendments for Consideration. The Council will identify in a
2 Resolution those amendments that it will consider for adoption in that year's adoption process.
3 The Council's intent is to adopt this Resolution by April 1st. Council's decision to consider a
4 proposed amendment does not constitute a decision or recommendation that the proposed
5 amendment should be adopted nor does it preclude later Council action to add or delete an
6 amendment for consideration.
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8 Section 3. Amendments that May be Considered More Frequently than Once Per Year.

9 A. Designation of Amendments that May be Considered More Frequently Than
10 Once Per Year. Amendments that may be considered more frequently than once per year are the
11 following:

- 12 1. the initial adoption of a subarea plan;
- 13 2. amendments of the Seattle Shoreline Master Program component of the
14 Comprehensive Plan;
- 15 3. amendments of the capital facilities element that occurs concurrently
16 with adoption or amendment of the budget;
- 17 4. emergency amendments; and
- 18 5. amendments proposed as a result of a remand or order issued by the
19 Growth Management Hearings Board or the court.
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22 B. Procedures for Considering Amendments That May be Considered More
23 Frequently Than Once Per Year. Amendments that may be considered more frequently than
24 once per year shall be considered according to the General Procedures in Section 4 below. The
25 procedures of Section 2 above, Procedures for Annual Amendments, are not required in the
26 review of amendments that may be considered more than once per year.
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1 Section 4. General Procedures.

2 A. What can be Amended. Proposed amendments may include changes to
3 policies, the future land use map, appendices, or other components of the Plan.

4 B. Who May Propose Amendments. Anyone may propose an amendment to the
5 Comprehensive Plan.

6 C. How to Propose an Amendment. Anyone wishing to propose an amendment
7 must complete the Comprehensive Plan Amendment application in a form substantially similar
8 to that shown in Attachment A to this Resolution and submit the proposed amendment in writing
9 to the City Council. Proposed annual amendments submitted after January 20th will be
10 considered in the following year's amendment cycle, except as provided by these procedures.
11 Proposed amendments rejected in a previous amendment cycle generally will not be reconsidered
12 for at least three years.

13 D. Information to Include with Amendments. Only completed applications will
14 be processed for consideration. The application shall provide the following information: 1)
15 reference to the element of the Comprehensive Plan that is proposed for amendment; 2) proposed
16 amendatory language, preferably shown in the format used for Council bills (new language
17 underlined and language proposed for deletion ~~struck out~~); and 3) an explanation of why the
18 amendment is being proposed.

19 The Council may return an application to the applicant if the application is not filled out
20 correctly or if further information is required.

21 E. Review of Proposed Amendments.

22 1. Each amendment that the Council approves for consideration by
23 Resolution according to Section 2G above will be reviewed by DPD in coordination with other
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1 City departments. In some cases, other City departments may be considered the lead department
2 for reviewing particular amendments. DPD will prepare a written analysis for the City Council.
3 The analysis will be accompanied by an Executive recommendation that the proposed
4 amendment be approved, approved with amendments or denied.

5 2. The lead department is responsible for conducting and paying for any
6 environmental (SEPA) review that may be required for the proposed amendment, including the
7 preparation of an environmental impact statement. SEPA review should be completed before
8 DPD submits its written report to the Council.

9 3. The lead department is responsible for soliciting comment regarding the
10 proposed amendment from the public or from government agencies. The department may
11 conduct public meetings or hearings and will provide notification and opportunities for public
12 comment as it deems appropriate to the nature of the proposed amendment.

13 4. DPD will coordinate with other City departments and establish dates by
14 which departments should submit their analysis to DPD. Any report or recommendation by the
15 Planning Commission should also be submitted to DPD by that date. DPD will coordinate the
16 submittal of the proposed amendments to the Council, which should occur no later than August
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20 1st.

21 F. Council Public Hearing, Notice, and Comments. Except for emergency
22 amendments, the City Council will hold at least one public hearing for the purpose of receiving
23 public comment regarding the merits of proposed amendments that it has decided to review
24 pursuant to Section 2G above. Notice of the hearing will be given by DPD in the same manner as
25 notice of proposed Land Use Code amendments pursuant to SMC 23.76.062. The notice and
26 public hearing for proposed Comprehensive Plan amendments may be combined with any notice
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1 or public hearing for proposed amendments to the Land Use Code or for other actions of the City
2 Council. Written comments may be given by anyone to the City Council regarding proposed
3 Comprehensive Plan amendments.

4 In the event the Council chooses to consider a new amendment or a change to a proposed
5 amendment after notice of previous proposed amendments has been given, the Council will
6 provide an opportunity for review and comment upon the change or new amendment based upon
7 the scope and content of the proposed change or new amendment, and consistent with RCW
8 36.70A.035.
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10 G. Transmittal to State. Except for emergency amendments, at least sixty days
11 prior to the expected date of final City Council action on the proposed amendments, DPD will
12 transmit a copy of the proposed amendments to the State of Washington Department of
13 Community Trade and Economic Development. DPD will transmit a copy of any adopted
14 amendment to the Department of Community Trade and Economic Development within ten days
15 after adoption by the Council.
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17 Section 5. Resolution 30412 is hereby repealed.
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19
20 Adopted by the City Council the 8th day of October, 2007, and signed by me in
21 open session in authentication of its adoption this 8th day of October, 2007.
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23
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25 _____
26 President _____ of the City Council
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Filed by me this 9 day of October, 2007.



City Clerk

(Seal)

Attachment A: Comprehensive Plan Amendment Application

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City of Seattle COMPREHENSIVE PLAN AMENDMENT APPLICATION

The use of this application is appropriate when a change in the specific text in the adopted City of Seattle Comprehensive Plan is desired. Applications are due to the Seattle City Council no later than 5:00 p.m. on January 20th for consideration in the same calendar year. If January 20th falls on a weekend, the deadline is the Friday closest to that date. Any proposals received after January 20th will fall into the review process for the following year.

<p>FOR OFFICE USE ONLY</p> <p>Application Received (stamp)</p>

(Please Print or Type)

Date:

Applicant:

Mailing Address:

City:

State:

Zip:

Phone:

Email:

Contact (if not applicant):

Mailing Address:

Email:

City:

State:

Zip:

Phone:

If Applicant, Name of General Area/Location/Site which would be affected by this proposed change in text (attached additional sheets if necessary)

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist. Acceptance of this application does not guarantee final approval



Applicant
Signature: _____

Date: _____

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and/or graphic form and attach them to the application. Answer all questions separately and reference the question number in your answer. **An application will be considered incomplete unless all the questions are answered.** When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

- 1) Provide a detailed description and explanation of the proposed text amendment. Include the Element (Land Use, Transportation, etc) and the specific goal or policy to be amended.
 - a) If the amendment is to an existing goal or policy, please show proposed edits in "line in/line out" format with text to be added indicated by underlining, or text to be deleted indicated with ~~strikeouts~~.
 - b) If the amendment would also require a change to the Seattle Municipal Code, please indicate the section needing the change and suggested edits to the code language in "line in/line out" format.
- 2) Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.
- 3) Why is the proposed change the best means for meeting the identified public need? What other options are there for meeting the identified public need?
- 4) What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?
- 5) How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Include any data, research, or reasoning that supports the proposed amendments.
- 6) Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: All applications will be subject to full public participation, notice and environmental review.

Your comprehensive Plan Amendment Application must be received by the City Council no later than 5:00 p.m. on January 20th to be considered in that calendar year. You can send your application via e-mail (the preferred method) to compplan@seattle.gov, or via regular mail to:

**Office of the City Clerk
600 Fourth Avenue, Floor 3
PO Box 34025
Seattle, Washington 98124-4025**



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Ketil Freeman 4-8178	NA

Legislation Title:

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 30412.

• **Summary of the Legislation:**

This legislation would change the process whereby proponents petition the City for amendments to the City of Seattle Comprehensive Plan. The primary change is to require that applications be made to the City Council. Currently applications are made to the Department of Planning and Development. The legislation also repeals Resolution 30412, the prior resolution establishing the process for review of proposed Comprehensive Plan amendments.

• **Background:**

The City has an open door policy for Comprehensive Plan amendments. Anyone can petition the City to amend the Plan. The City typically reviews proposed amendments in two phases: 1) in the spring, the City establishes a docket of amendments to consider; and 2) in the fall, the Council takes up the merits of proposed amendments. With a few exceptions, the Growth Management Act requires that Comprehensive Plan amendment be considered once annually.

• *Please check one of the following:*

X **This legislation does not have any financial implications.**



STATE OF WASHINGTON – KING COUNTY

--SS.

216760
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

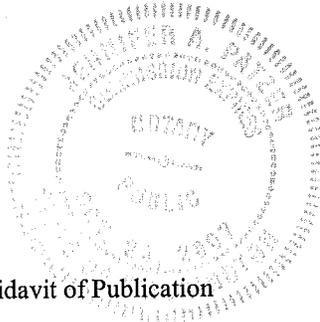
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:RESOLUTION 31016

was published on

10/24/07

The amount of the fee charged for the foregoing publication is the sum of \$ 334.80, which amount has been paid in full.



Affidavit of Publication

Samela Oglesky

Subscribed and sworn to before me on

10/24/07

Jennifer A. Praeger

Notary public for the State of Washington,
residing in Seattle

City of Seattle

RESOLUTION 31016

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 30412.

WHEREAS, Council finds that the City's procedures for amending the Seattle Comprehensive Plan, contained in Resolution 30421, should be amended to provide a more effective and timely review process;

NOW, THEREFORE,

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Section 2. Procedures for Annual Amendments. The Comprehensive Plan amendment process generally entails a two step process. First, the Council screens all proposed amendments and decides which amendments it will later consider for possible adoption. This screening step typically occurs in the spring. Second, after the Council has selected the proposed amendments that it wants to consider for possible adoption, additional analysis of those proposed amendments may occur, and then, typically in the fall, the Council votes whether to approve a proposed amendment.

A. Certain Amendment Types to be Considered Once Per Year. Except for amendments that may be considered more frequently than once a year pursuant to RCW 36.70A.130, the City Council will consider proposed amendments to the Comprehensive Plan once every year. Proposed amendments that may be considered once a year only are called "annual amendments".

B. Annual Amendments to Follow This Section 2 and Section 4 General Procedures. Annual amendments shall follow the procedures of this section in addition to the general procedures in Section 4 below.

C. Annual Amendments to be Considered Concurrently. Proposed annual amendments will be considered by the Council concurrently so the cumulative effect of the proposed amendments can be ascertained.

D. Annual Schedule. Proposed amendments to the Comprehensive Plan may be submitted to the City Council at any time. However, in order to be considered for possible adoption in a calendar year, the proposed amendment must be submitted by January 20th of that year, except as otherwise provided by these procedures. Amendments submitted after January 20th may be considered the following year.

E. Selection of Amendments to be Considered. After receipt of proposed amendments, the City Council will transmit all the proposed amendments to the Planning Commission with a request for its recommendation on which amendments should be considered for further review. The Council will also transmit the proposed amendments to the Department of Planning and Development (DPD). Both the Planning Commission and DPD may send recommendations to the Council. In order to be considered, the recommendation(s) should be received by the Council by March 1.

F. Optional Public Hearing on Selections of Amendments to Consider. Depending upon the number and nature of proposed amendments, the Council may hold a public hearing before it decides which proposed amendments will be considered that year. Notice of the hearing will be given by publication in the City's official newspaper and the Land Use Information Bulletin a minimum of fifteen days before the scheduled hearing.

State of Washington, King County

G. Identification of Amendments for Consideration. The Council will identify in a Resolution those amendments that it will consider for adoption in that year's adoption process. The Council's intent is to adopt this Resolution by April 1st. Council's decision to consider a proposed amendment does not constitute a decision or recommendation that the proposed amendment should be adopted nor does it preclude later Council action to add or delete an amendment for consideration.

Section 3. Amendments that May be Considered More Frequently than Once Per Year.

A. Designation of Amendments that May be Considered More Frequently Than Once Per Year. Amendments that may be considered more frequently than once per year are the following:

1. the initial adoption of a subarea plan;
2. amendments of the Seattle Shoreline Master Program component of the Comprehensive Plan;
3. amendments of the capital facilities element that occurs concurrently with adoption or amendment of the budget;
4. emergency amendments; and
5. amendments proposed as a result of a remand or order issued by the Growth Management Hearings Board or the court.

B. Procedures for Considering Amendments That May be Considered More Frequently Than Once Per Year. Amendments that may be considered more frequently than once per year shall be considered according to the General Procedures in Section 4 below. The procedures of Section 2 above, Procedures for Annual Amendments, are not required in the review of amendments that may be considered more than once per year.

Section 4. General Procedures.

A. What can be Amended. Proposed amendments may include changes to policies, the future land use map, appendices, or other components of the Plan.

B. Who May Propose Amendments. Anyone may propose an amendment to the Comprehensive Plan.

C. How to Propose an Amendment. Anyone wishing to propose an amendment must complete the Comprehensive Plan Amendment application in a form substantially similar to that shown in Attachment A to this Resolution and submit the proposed amendment in writing to the City Council. Proposed annual amendments submitted after January 20th will be considered in the following year's amendment cycle, except as provided by these procedures. Proposed amendments rejected in a previous amendment cycle generally will not be reconsidered for at least three years.

D. Information to Include with Amendments. Only completed applications will be processed for consideration. The application shall provide the following information: 1) reference to the element of the Comprehensive Plan that is proposed for amendment; 2) proposed amendatory language, preferably shown in the format used for Council bills (new language underlined and language proposed for deletion struck out); and 3) an explanation of why the amendment is being proposed.

The Council may return an application to the applicant if the application is not filled out correctly or if further information is required.

E. Review of Proposed Amendments.

1. Each amendment that the Council approves for consideration by Resolution according to Section 2G above will be reviewed by DPD in coordination with other City departments. In some cases, other City departments may be considered the lead department for reviewing particular amendments. DPD will prepare a written analysis for the City Council. The analysis will be accompanied by an Executive recommendation that the proposed amendment be approved, approved with amendments or denied.

2. The lead department is responsible for conducting and paying for any environmental (SEPA) review that may be required for the proposed amendment, including the preparation of an environmental impact statement. SEPA review should be completed before DPD submits its written report to the Council.

3. The lead department is responsible for soliciting comment regarding the proposed amendment from the public or from government agencies. The department may conduct public meetings or hearings and will provide notification and opportunities for public comment as it deems appropriate to the nature of the proposed amendment.

4. DPD will coordinate with other City departments and establish dates by which departments should submit their analysis to DPD. Any report or recommendation by the Planning Commission should also be submitted to DPD by that date. DPD will coordinate the submittal of the proposed amendments to the Council, which should occur no later than August 1st.

F. Council Public Hearing, Notice, and Comments. Except for emergency amendments, the City Council will hold at least one public hearing for the purpose of receiving public comment regarding the merits of proposed amendments that it has decided to review pursuant to Section 2G above. Notice of the hearing will be given by DPD in the same manner as notice of proposed Land Use Code amendments pursuant to SMC 23.76.062. The notice and public hearing for proposed Comprehensive Plan amendments may be combined with any notice or public hearing for proposed amendments to the Land Use Code or for other actions of the City Council. Written comments may be given by anyone to the City Council regarding proposed Comprehensive Plan amendments.

In the event the Council chooses to consider a new amendment or a change to a proposed amendment after notice of previous proposed amendments has been given, the Council will provide an opportunity for review and comment upon the change or new amendment based upon the scope and content of the proposed change or new amendment, and consistent with RCW 36.70A.035.

G. Transmittal to State. Except for emergency amendments, at least sixty days prior to the expected date of final City Council action on the proposed amendments, DPD will transmit a copy of the proposed amendments to the State of Washington Department of Community Trade and Economic Development. DPD will transmit a copy of any adopted amendment to the Department of Community Trade and Economic Development within ten days after adoption by the Council.

Section 5. Resolution 30412 is hereby repealed.

Adopted by the City Council the 8th day of October, 2007, and signed by me in open session in authentication of its adoption this 8th day of October, 2007.

NICK LICATA,
President of the City Council
Filed by me this 9th day of October, 2007.

(Seal) JUDITH E. PIPPIN,
City Clerk
Attachment A: Comprehensive Plan Amendment Application
Date of publication in the Seattle Daily Journal of Commerce, October 24, 2007.
10/24(216780)